

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

UNITED STATES OF AMERICA

v.

Case number: 2:21-cr-00127

RAYMOND DUGAN

**DEFENDANT’S MOTION TO CONTINUE TRIAL
AND ASSOCIATED PRETRIAL DATES
AND TO RESERVE THE RIGHT TO FILE PRETRIAL MOTIONS**

Now comes the defendant, Raymond Dugan, by counsel, David Schles, and moves this Court to continue the trial and all associated events in this matter, including the date for filing of additional pre-trial motions. In support of this motion the defendant avers:

1. Mr. Dugan was arraigned on August 17, 2021. The trial was initially scheduled for October 13, 2021. Defendant previously moved for continuances which the court granted. The trial is currently scheduled for February 22, 2022; pretrial motions are due January 24, 2022; and the pretrial motions hearing is scheduled for February 7, 2022.

2. The discovery disclosures are voluminous and complex, many dealing with highly technical matters. Counsel and the defendant have been meeting to review the discovery as required by the terms of the protective order but need additional time as all review of the discovery material must take place at counsel’s office and in counsel’s presence. The defense

will also need to retain and utilize an expert in digital forensics as part of this process. The defense has been working diligently but substantially more time will be required for the defense to prepare both for pretrial proceedings and for the trial. As the Court is aware this is a case involving digital technology and the hardware and software involved in internet communications. The field is ever changing and evolving, presenting technical materials and methods with which counsel must become intimately familiar in order to effectively advise and represent the defendant.

3. Counsel has consulted with Defendant regarding this proposed continuance. Defendant knowingly and intelligently waives any speedy trial rights under 18 U.S.C. § 3161, to the extent any portion of the requested delay is not excluded by the statute, and under the Sixth Amendment.

4. Counsel for the defendant has also conferred with counsel for the government, Assistant United States Attorney Julie White, and is authorized to inform the Court that the government does not object to the requested continuance.

5. The defendant certifies that the reasons for the request do not include general congestion of the Court's calendar, or lack of diligent preparation on the part of the parties involved.

Wherefore, in light of the foregoing, the defendant respectfully requests that this Court continue the trial and associated pretrial dates. Defendant respectfully requests that the trial,

pretrial hearing, deadline for filing motions and all other associated dates be continued for approximately sixty (60) days.

Respectfully Submitted,
Raymond Dugan
By counsel,

s/ David Schles
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CERTIFICATE OF SERVICE

I, David Schles, counsel for defendant, Raymond Dugan do hereby certify that on this 21st day of January, 2022, the foregoing DEFENDANT'S MOTION TO CONTINUE TRIAL AND ASSOCIATED PRETRIAL DATES AND TO RESERVE THE RIGHT TO FILE PRETRIAL MOTIONS was served upon the following by CM/EMF electronic filing:

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